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August 29, 2001

Randall Stone, Esq.  
Department of Justice  
Environment and Natural Resources Division  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001

Re: Metropolitan Council Supplemental Environmental Project

Dear Randy:

This letter confirms the Metropolitan Council's oral confirmation on August 27, 2001, that you proceed with filing and publication of our joint proposal to substitute fabric filter technology for the dry electrostatic precipitator technology in the Metropolitan Council's Supplemental Environmental Project. Met Council believes the improved technology will enhance the benefits of the Supplemental Environmental Project and remains committed to achieving the Project goals.

As you are aware, Met Council has some concerns that the change process may result in unforeseen delays that could prevent us from meeting the schedule in the Consent Decree. If unforeseen delay jeopardizes our ability to meet other obligations in the Consent Decree, it may be in both of our interests to decide at that time to proceed with the Project as originally configured, but we hope that with our combined diligent efforts the substitution of technology will proceed smoothly.

We appreciate the time and attention you have given to this matter and your willingness to agree to the proposed revisions in the Project.

Sincerely,

*Robert Cattanach*

Robert E. Cattanach

cc: Mark Thompson, Esq.  
Rebecca Flood